

**DELTA PROTECTION COMMISSION**

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December 3, 1993



To: Delta Protection Commissioners

From: Margit Aramburu, Executive Director

Subject: Proposed Inter-Agency Agreement with Attorney General's Office

Background

The Planning Program, adopted in August, sets out a planning program which includes the preparation of eight background reports, including proposed findings and policies, which will become the Delta Plan to be adopted by the Commission prior to July 1, 1994. The planning program identified three reports for which staff would need assistance. The three reports are: Recreation and Access; Levees; and Implementation.

Funding

The Commission's budget adopted in August, set aside \$65,000 from the Commission's budget for part-time, student help and consultant assistance. This money was originally designated for a third staff position. To date, \$18,000 has been ear-marked for part-time student help, \$20,000 ear-marked for the consultant to assist with preparation of the Recreation and Access background report, leaving \$27,000 in the budget for further assistance.

Implementation Report

Attached is a proposed Inter-Agency agreement with the Attorney General's office for assistance in preparation of the Background Report on Implementation for \$10,000. I have met with representatives of the Attorney General's office to discuss this project; they have identified Assistant District Attorney Christine Sproul as project manager. The report would be completed on April 1, 1994.

The report would research the implementation set out in the current legislation, other models of County-State regulatory programs, alternative models of inter-agency regulation, and for implementation of the programs set out in the enabling legislation.

Staff Recommendation

Staff recommends the Commission authorize the Executive Director to execute the Inter-Agency agreement as described above.

Attachment

**INTERAGENCY AGREEMENT**

STD. 13 (REV. 9-89)

NUMBER

**THIS AGREEMENT is entered into this** 18th **day of** December **, 19** 93 **, by and between the undersigned State Agencies:**

Set forth services, materials, or equipment to be furnished, or work to be performed, and by whom, time for performance including the terms, date of commencement and date of completion, and provision for payment per (1225 and 8752-8752.1 SAM.)

**Distribution:**

- ☐ Agency providing services  
☐ Agency receiving services  
☐ Department of General Services (unless exempt from DGS approval)  
☐ Controller

Office of the Attorney General, hereinafter, known as AG, shall provide assistance in preparation of a background report on Implementation of the Delta Protection Act to the Delta Protection Commission hereinafter known as DPC.

The term of this agreement is from January 1, 1994 to June 30, 1994.

Upon completion of the foregoing in a satisfactory manner, DPC agrees to pay AG an amount equal to the latter's cost of performance hereunder computed in accordance with Section 8752 of the State Administrative Manual. The total amount of the Agreement shall not exceed \$10,000.00. Nothing herein shall preclude advance payments pursuant to Article 1, Chapter 3, Division 3, part 1, Title 2 of the Government Code.

(Continued on \_\_\_\_\_ sheets which are hereby attached and made a part hereof)

NAME OF STATE AGENCY RECEIVING SERVICES <u>Delta Protection Commission</u> CALLED ABOVE (SHORT NAME) <u>DPC</u>		NAME OF STATE AGENCY PROVIDING SERVICES <u>Attorney General's Office</u> CALLED ABOVE (SHORT NAME) <u>AG</u>	
AUTHORIZED SIGNATURE ▷		AUTHORIZED SIGNATURE ▷	
PRINTED NAME AND TITLE OF PERSON SIGNING <u>Margit Aramburu, Executive Director</u>		PRINTED NAME AND TITLE OF PERSON SIGNING	
FUND NUMBER AND NAME		FUND NUMBER AND NAME	

AMOUNT ENCUMBERED BY THIS DOCUMENT \$ <u>10,000.00</u>	PROGRAM/CATEGORY (CODE AND TITLE)		FUND TITLE	
	(OPTIONAL USE)			
	ITEM	CHAPTER	STATUTE	FISCAL YEAR
PRIOR AMOUNT ENCUMBERED FOR THIS CONTRACT \$ <u>-0-</u>	OBJECT OF EXPENDITURE (CODE AND TITLE)			
TOTAL AMOUNT ENCUMBERED TO DATE \$ <u>10,000.00</u>				
I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose of the expenditure stated above.		T.B.A. NO.		B.R. NO.
SIGNATURE OF ACCOUNTING OFFICER <u>X</u>		DATE		

**Department of General Services  
Use Only**

Office of the Attorney General  
Interagency Agreement

The Project Manager for DPC shall be Margit Aramburu (916) 776-2290.

The Project Manager for AG shall be Christine Sproul (916) 324-5205.

This agreement may be modified through contract amendment and consent of both parties.

This agreement may be terminated by either party not sooner than 30 days after giving written notice of termination. In the case of termination, DPC shall pay AG for all costs and not cancelable obligations incurred to date of termination up to but not to exceed \$10,000.

It is the intent of the parties to fulfill their obligations hereunder. However it is recognized that the performance by both parties of the obligations imposed by this agreement is conditional upon the availability of funds for the purposes intended hereunder; and in the event such funds not become available to carry out the objects of this Agreement each party agrees to either:

- a. modify the obligations to match the available funds, or
- b. release the other party from all obligations hereunder.

AG shall not invoice DPC more than monthly. All invoices shall be sent to the DPC project manager.

The Agreement shall be subject to the review, examination and audit of the Auditor General for a period of three (3) years after final payment under the contract.

The contracting parties shall be subject to the examination of the Auditor General for a period of three years after final payment under the contract.

12/1/93

Scope of Work

Staff would like assistance from the Attorney General's office in preparing a background report on implementation, which will serve as an appendix to the Plan. The report would outline:

The powers and authorities of the Commission to carry out the tasks described in the Delta Protection Act, generally, and to provide for the implementation of the plan.

The incentives which may be available, or which may be made available, to assist in the implementation of the plan.

Models that have been used by other regional planning agencies that may be suitable for this plan.

Models have been used by other local government-State planning programs that may be suitable for this plan.

The administrative mechanisms and other authorities which may be used to carry out the Act and the plan, including joint power authorities or memorandums of understanding.

The authorities and other mechanisms available to coordinate the regulatory activities of the local governments and State agencies affecting the plan area.

The authorities and mechanisms available to coordinate the activities of other State agencies which may affect the plan area.